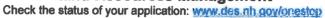
NHDES-W-06-012



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau Land Resources Management





RSA/Rule: RSA 482-A/ Env-Wt 100-900				
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208			Control	Arttouril
				letas
1. REVIEW TIME: Indicate your Review Tim	e below. To determine re	eview time, refer	to Guidance Doc	cument A for instructions
☑ Standard Review (Minimum, Minor		A sakad hammay y a tida maka paranca y sahada a bat ada sakada a sakad		(Minimum Impact only)
2. MITIGATION REQUIREMENT:		W.	W	
If mitigation is required a Mitigation-Pre Appli if Mitigation is Required, please refer to the	cation meeting must occurrence if Mitigation is	ur prior to submit Required Freque	iting this Wetland	ls Permit Application. To determin
Mitigation Pre-Application Meeting Dat ☑ N/A - Mitigation is not required	e: Month: Day:	Year:		- 745 (1970-1976) \$ 300-19 (1976-1976)
PROJECT LOCATION:Separate wetland permit applications must be	submitted for each mun	icipality that wet	land impacts occ	ur within.
ADDRESS: NH ROUTE 153	7 (2018) A 10 (201	774.00		VN/CITY: Eaton
TAX MAP: BLO	CK:	LOT:		UNIT:
USGS TOPO MAP WATERBODY NAME: Unnan	ned	□ NA	STREAM WATER:	SHED SIZE: 857.6 Acres N
OCATION COORDINATES (If known): 43.9107	71.0807			☑ Latitude/Longitude ☐ UTM ☐
NH Route 153 over an unnamed brook and broken granite and pouring a cond	crete top. This will re	quire the use	of staging in t	the Brook.
S. SHORELINE FRONTAGE:				Annual State of the Control of the C
NA This does not have shoreline frontage	. SHOR	ELINE FRONTA	GE:	ener der de han en en de l'anne de l
thoreline frontage is calculated by determining traight line drawn between the property lines,	g the average of the dista both of which are measu	ances of the actu ured at the norm	al natural naviga al high water line	ble shoreline frontage and a
. RELATED NHDES LAND RESOURCES Malease indicate if any of the following permit and determine if other Land Resources Manage	oplications are required a	and, if required, t	he status of the a	application.
Permit Type	Permit Required	File Number	Permit Ap	plication Status
lteration of Terrain Permit Per RSA 485-A:17 Idividual Sewerage Disposal per RSA 485-A:2 ubdivision Approval Per RSA 485-A horeland Permit Per RSA 483-B			☐ APPRO	OVED PENDING DENIED OVED PENDING DENIED OVED PENDING DENIED OVED PENDING DENIED
NATURAL HERITAGE BUREAU & DESIG	NATED RIVERS: locument for instructions	to complete a &	b below.	
Natural Heritage Bureau File ID: NHB 16	- 1993 .			
Designated River the project is in ¼ mill date a copy of the application was sent	es of	gement Advison	; and <u>r Committee</u> : Mor	nth: Day: Year: _
⊠ N⁄A				

8. APPLICANT INFORMATION (Desired permit holder)	The state of the same of the s	· · · · · · · · · · · · · · · · · · ·		201748	ennerten Antonomiae e	All the second s
LAST NAME, FIRST NAME, M.I.: Rollins, William, G					ON THE CONTRACTOR	
TRUST / COMPANY NAME: NHDOT District 3		MAILING A	DDRESS: 2 S	Bawmili Ro	oad	
TOWN/CITY: Gilford	ļ		***	STATE: N	Н	ZIP CODE: 03249
EMAIL or FAX: wrollins@dot.state.nh.us		PHONE	E: (603) 52	4-6667		,
ELECTRONIC COMMUNICATION: By initialing here: W., i he electronically	ereby autho	orize NHDE	S to communi	cate all matte	rs relativ	ve to this application
9. PROPERTY OWNER INFORMATION (if different than a	applicant)				
LAST NAME, FIRST NAME, M.I.:		Control of the Contro	***************************************		AND THE PERSON NAMED IN COLUMN	Burgail and Administrative Conference on the control of the Conference of the Confer
TRUST / COMPANY NAME:	ı	MAILING AL	ODRESS:			
TOWNCITY:	:			STATE:		ZIP CODE:
EMAIL or FAX:			PHONE:			
ELECTRONIC COMMUNICATION: By initialing here, I her electronically	reby author	rize NHDES	to communic	ate all matter	s relative	e to this application
10. AUTHORIZED AGENT INFORMATION	***************************************	r war in trouved also will be accordingly accordingly according to the second and apply according to the second and apply according to the second acco				Tindan 1900 til 1800 til 1800 salar sen
LAST NAME, FIRST NAME, M.I.:			COMPANY	NAME:		A O O CONTROL OF THE OWNER OWNER OF THE OWNER OWN
MAILING ADDRESS:				8. Notice of Admittals and a fractions of the comment of		
TOWN/CITY:				STATE:		ZIP CODE;
EMAIL or FAX:	ı	PHONE:				
ELECTRONIC COMMUNICATION: By initialing here I here electronically	eby author	ize NHDES	to communic	ate all matters	s relative	to this application
11. PROPERTY OWNER SIGNATURE: See the Instructions & Required Attachments document for cla	arification	of the belo	w statement	8		Programme (Committee of the Committee of
By signing the application, I am certifying that:			The second secon	garante de Maria Maria de Carlos de		
 I authorize the applicant and/or agent indicated on this for upon request, supplemental information in support of the I have reviewed and submitted information & attachmental abutters have been identified in accordance with RS/4. I have read and provided the required information outline 	nis permit : nts outline A 482-A:3	application d in the Ins I, I and En	i. structions an v-Wt 100-90	d Required . 0.	Attachr	nent document.
5. I have read and understand Env-Wt 302.03 and have ch					от туро.	•
Any structure that I am proposing to repair/replace was e grandfathered per Env-Wt 101.47.			_			
 I have submitted a Request for Project Review (RPR) For (SHPO) at the NH Division of Historical Resources to ide with the lead federal agency for NHPA 106 compliance. 	entify the					
8. I authorize NHDES and the municipal conservation com						
 I have reviewed the information being submitted and tha I understand that the willful submission of falsified or mis Environmental Services is a criminal act, which may resi 	srepresen	ted informa				
 11. I am aware that the work I am proposing may require add 12. The mailing addresses I have provided are up to date an 	iditional st	ate, local				
			Polling			1 2016
	name legil	-			Date	

MUNICIPAL SIGNATURES

12. CONSERVATION COMMISSION SIGNATURE

The signature below certifies that the municipal conservation commission has reviewed this application, and:

- 1. Waives its right to intervene per RSA 482-A:11;
- 2. Believes that the application and submitted plans accurately represent the proposed project; and
- 3. Has no objection to permitting the proposed work.

	ú	d	٩
- 8			и

Print name legibly

Date

DIRECTIONS FOR CONSERVATION COMMISSION

- 1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
- 2. Expedited review requires the Conservation Commission signature be obtained **prior** to the submittal of the original application to the Town/City Clerk for signature.
- 3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

13. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.



Town/City Clerk Signature

Print name legibly

Town/City

Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

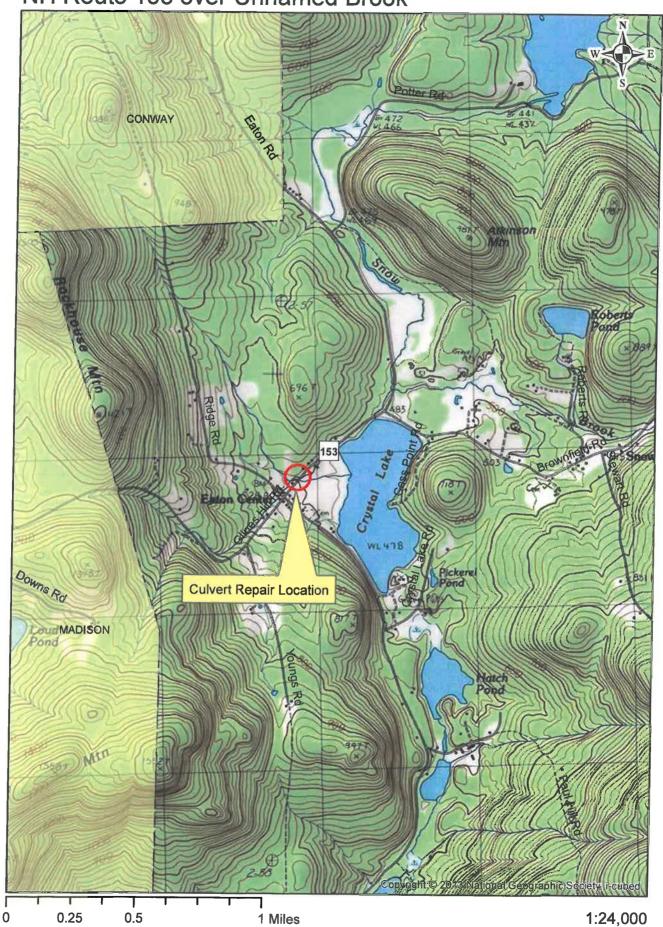
- 1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
- 2. IMMEDIATELY sign the original application form and four copies in the signature space provided above:
- 3. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
- 4. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board; and
- 5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

1. Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

JURISDICTIONAL AREA Forested wetland Scrub-shrub wetland Emergent wetland	PERMANENT Sq. Ft. / Lin. Ft.			TEMPORARY	
Scrub-shrub wetland				Bq. Ft. / Lin. Ft.	
	2)3 96%	ATF	CONSTRUCTION CONTRACTOR OF THE STATE OF THE		ATF
Emergent wetlend		☐ ATF			☐ ATF
A S. CANADA AND STREET, IN THE STREE		ATF	Makada da Andro Casa Norger profesjonesjada index i Carb Casa debaka.	NOCHEAR T	ATF
Wet meadow		ATF	7.3404.000		ATF
Intermittent stream		☐ ATF		×	☐ ATF
Perennial Stream / River		☐ ATF	400) / 40	ATF
Lake / Pond	1	ATF	. V N V N V	1	☐ ATF
Bank - Intermittent stream	1	☐ ATF		1	ATF
Bank - Perennial stream / River	/	☐ ATF	469-1400-1400-2000-2000-2000-2000-2000-2000	1	☐ ATF
Bank - Lake / Pond	1	ATF		1	☐ ATF
Tidal water	1	☐ ATF		1	☐ ATF
Salt marsh		ATF			☐ ATF
Sand dune		☐ ATF			☐ ATF
Prime wetland		☐ ATF		1-00	ATF
Prime wetland buffer		☐ ATF			ATF
Undeveloped Tidal Buffer Zone (TBZ)		☐ ATF			ATF
Previously-developed upland in TBZ		☐ ATF			ATF
Docking - Lake / Pond		☐ ATF			ATF
Docking - River		☐ ATF			ATF
Docking - Tidal Water		☐ ATF			ATF
TOTAL	1	TO THE PROPERTY OF THE PROPERT	400	/ 40	
15. APPLICATION FEE: See the Instructions	& Required Attachments	document for furth	er instruction		
Temporary (season	nporary (non-docking)	400 sq. ft.		\$	
		sq. ft.	-		
Projects propo	sing shoreline structure	s (including dock			
			Total =	\$ 80	

Eaton 1382H-1 NH Route 153 over Unnamed Brook





WETLANDS PERMIT APPLICATION – ATTACHMENT A MINOR AND MAJOR - 20 QUESTIONS

Water Division/ Wetlands Bureau/ Land Resources Management Check the Status of your application: www.des.nh.gov/onestop



RSA/ Rule: RSA 482-A, Env-Wt 100-900

Env-Wt 302.04 Requirements for Application Evaluation - For any major or minor project, the applicant shall demonstrate by plan and example that the following factors have been considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction. Respond with statements demonstrating:
1. The need for the proposed impact.
The existing concrete and granite slab box culvert has cracked and deteriorated and is at risk for collapse. The proposed project will remove the cracked granite slabs and repour a new concrete roof. This will stabilize the culvert and extend the maintain the structury integrity of the roadway.
2. That the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
Repouring the roof will require removal of pavement and material directly above the culvert. This is a low impact alternative compared to full replacement, which would require excavation around the entire culvert and disturb a considerably great area within the stream channel and banks.

The type and classification of the wetlands involved.
R2UB1- Riverine, lower perennial, unconsolidated bottom, cobble-gravel
The relationship of the proposed wetlands to be impacted relative to nearby wetlands and surface waters.
Unamed stream outlets into Crystal Lake approximately 1000' to the east of the project area.
x)
5. The rarity of the wetland, surface water, sand dunes, or tidal buffer zone area.
The stream type within the project area is common in New Hampshire and there are no other rare wetlands, surface waters, sand dunes or tidal buffer zones in the vicinity of the crossing.
6. The surface area of the wetlands that will be impacted.
The proposed projec will involve 400 s.f. of temporary impact for the purpose of installing temporary scaffolding in the stream.

	. The impact on plants, fish and wildlife including, but not limited to:
	a. Rare, special concern species;
	b. State and federally listed threatened and endangered species;
	c. Species at the extremities of their ranges;
	d. Migratory fish and wildlife;
	e. Exemplary natural communities identified by the DRED-NHB; and f. Vernal pools.
-	
s n tl U p e w	b. The proposed project has been reviewed by the NH Natural Heritage Bureau and the US Fish and Wildlife ervice. USFWS identifed the project as being located wtihin the range of the northern long-eared bat and the mall whorled pogonia. Because there is no tree clearing, the evidence of bats using the existing structures, and o nearby hibernacula or maternity roost trees in the vicnity, the US Army Corps of Engineers determined that the project will have no effect on northern long-eared bats in accordance with the Final 4(d) rule. Additionally, the SFWS Section 7 online consultation tool was used to confirm that the preferred habitat for small-whorled ogonia, which includes forested wetlands is not present within the proposed area of disturbance which includes disting roadway, shoulders and stream channel. NHNHB did not identify any known records of protected species tihin the project area.
	There are no species at the extremities of their ranges within the project area.
	There are no migratory fish or wildlie that will be affected by the proposed project.
	The NHNHB did not identify any know exemplary natural communities within the project area.
f.	There were no vernal pools identified within the project area.
8.	The impact of the proposed project on public commerce, navigation and recreation.
	The impact of the proposed project on public commerce, navigation and recreation.
R	pairing the culvert will allow for 1 lane of traffic to remain open during construction and ensure longterm
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Rest	epairing the culvert will allow for 1 lane of traffic to remain open during construction and ensure longterm abiility of the roadway, ensuring maximum potential for public use, commerce, navigation and reacreation.
Rest	pairing the culvert will allow for 1 lane of traffic to remain open during construction and ensure longterm
Rest	The extent to which a project interferes with the aesthetic interests of the general public. For example, where an applicant proposes the construction of a retaining wall on the bank of a lake, the applicant shall be required to indicate the type of material to be used and the effect of the general public in this are as there will be no impact to the aesthetic interest of the general public in this are as there will be no visible changes.
Rest	repairing the culvert will allow for 1 lane of traffic to remain open during construction and ensure longterm ability of the roadway, ensuring maximum potential for public use, commerce, navigation and reacreation. The extent to which a project interferes with the aesthetic interests of the general public. For example, where an applicant proposes the construction of a retaining wall on the bank of a lake, the applicant shall be required to indicate
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13. The impact of a proposed project on quantity or quality of surface and ground water. For example, where an applicant proposes to fill wetlands the applicant shall be required to document the impact of the proposed fill on the amount of drainage entering the site versus the amount of drainage exiting the site and the difference in the quality of water entering and exiting the site.	
There will be no fill and no alteration to the drainage structures or flow pattern as a result of the proposed project therefore. This project has been reviewed by the Department's Water Quality Program Manager and is not expected to have any negative impact on water quality.	:, ∌d
14. The potential of a proposed project to cause or increase flooding, erosion, or sedimentation.	
Due to the limited scope of work which will involve only temporary impacts, there is not potential to cause erosion	
flooding or sedimentation.	1,
15. The extent to which a project that is located in surface waters reflects or redirects current or wave energy which might cause damage or hazards.	
The project is not located in a stream which has currents or wave energy strong enough to cause any damange or hazard, nor will the project cuase this to occur.	

complex wer an applicant	e also permitted alteration who owns only a portion of	s to the wetland proportional to the e	cortion of the affected wetland or wetland extent of their property rights. For example, cant's percentage of ownership of that
propose similar	impacts. However, shou	HDOT maintenance operations, it is uld similar impacts be proposed in affolding will not permanently alte	the area, the temporary impacts
17. The impact of	of the proposed project on	the values and functions of the total	wetland or wetland complex.
	ed impacts which are all rounding resources.	temporary, there will be no affect	on the values and functions of the

The	e are no sites as desribed above in the project area.
10	
,	he impact upon the value of areas named in acts of congress or presidential proclamations as national rivers, national ilderness areas, national lakeshores, and such areas as may be established under federal, state, or municipal laws r similar and related purposes such as estuarine and marine sanctuaries.
Ther	are no sites as described above in the project area
Ther	are no sites as described above in the project area.
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Additional comments		

Eaton #1832H-1

Bill Rollins gave an overview of the project and discussed how there are many box culverts under 10ft in District 3 that they are enlisting Bridge Maintenance to help with the repairs.

Matt Urban asked if B. Rollins anticipated adding more rip rap. B. Rollins had not considered adding more rip rap but wouldn't be a bad idea. M. Urban suggested that if we do propose to add rip-rap to make sure to put it where it already exists so that we don't have to mitigate. If add rip rap to a new location we will need to mitigate for that impacted area. Gino Infascelli stated that if there isn't much scour might not need rip rap.

M. Urban reviewed the environmental components. He stated that this would be an alternative design because of the Tier 3 stream. G. Infascelli asked how big the structure is? B. Rollins answered that it should be around 9 or so feet. G. Infascelli expressed that it looks like it might be just over 10 feet. M. Urban answered it is 8 ft wide. G. Infascelli stated that looking from the aerials it looks like it could meet the stream crossing rules and from a quick look it came up to be 1.33 square miles.

B. Rollins discussed that it is his understanding that Bridge Maintenance will use scaffolding in the stream to help pour and set a new top for the box culvert. These would be temporary impacts to the stream. There are no good ways to divert traffic so they will have to do the maintenance in halves, leaving one lane open for travel. They plan to do the work in the winter and most of the work from the top.

M. Urban stated that it sounded like no mitigation was needed as long as we don't' add rip rap to non-existing locations. Lori Sommer agreed.

StreamStats 4.0

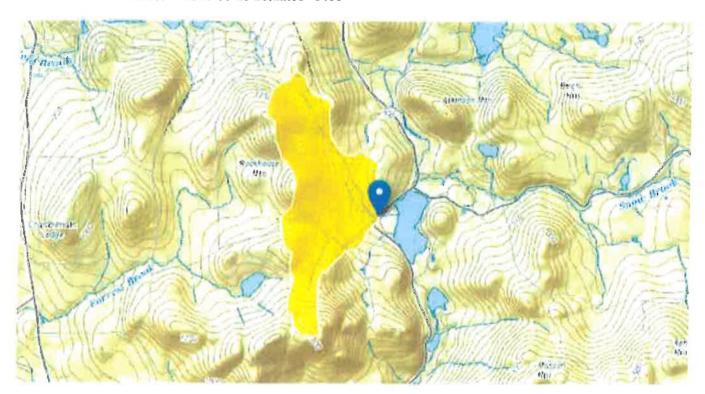
StreamStats Report

Region ID: N

Workspace ID: NH20160823080631410000

Clicked Point (Latit... 43.91063,-71.08073

Time: 2016-08-23 10:12:09 -0400



NH Department of Transportation Maintenance District 3 Eaton, 1832H-1 Rte 153 over unnamed brook Env-Wt 904.09 Alternative Design TECHNICAL REPORT

Env-Wt 904.09(a) - If the applicant believes that installing the structure specified in the applicable rule is not practicable, the applicant may propose an alternative design in accordance with this section.

Please explain why the structure specified in the applicable rule is not practicable (Env-Wt 101.69 defines practicable as available and capable of being done after taking into consideration costs, existing technology, and logistics in light of overall project purposes.)

The crossing is located on a Tier 3 stream with a 857.6 acres drainage area. The compliant size structure required for this crossing would be a 52 foot span open-bottom structure. The existing crossing is structurally compromised due to the cracked granite blocks which form part of the top but is otherwise functioning sufficiently. Installing a new compliant structure would have considerably more impact to wetland and cultural resources, impact to the community during construction due to road closure and is extremely cost prohibitive. Since this structural issue can be fixed by replacing just the roof of the culvert and this strategy has extremely limited impacts to natural and cultural resources in the area, this is the proposed alternative.

The proposed alternative meets the specific design criteria for Tier 2 and Tier 3 crossings to the maximum extent practicable, as specified below.

Env-Wt 904.05 Design Criteria for Tier 2 and Tier 3 Stream Crossings – New Tier 2 stream crossings, replacement Tier 2 crossings that do not meet the requirements of Env-Wt 904.07, and new and replacement Tier 3 crossings shall be designed and constructed:

- (a) In accordance with the NH Stream Crossing Guidelines. This project will not replace the existing 8' x 55" box. Work is limited to replacing the top.
- (b) With bed forms and streambed characteristics necessary to cause water depths and velocities within the crossing structure at a variety of flows to be comparable to those found in the natural channel upstream and downstream of the stream crossing.

Replacing the top will not change the characteristics of the crossing.

- (c) To provide a vegetated bank on both sides of the watercourse to allow for wildlife passage. The existing vegetated bank will be maintained.
- (d) To preserve the natural alignment and gradient of the stream channel, so as to accommodate natural flow regimes and the functioning of the natural floodplain.

 The alignment will not be changed.
- (e) To accommodate the 100-year frequency flood, to ensure that (1) there is no increase in flood stages on abutting properties; and (2) flow and sediment transport characteristics will not be affected in a manner which could adversely affect channel stability.

This box does not have a history of flooding and existing flows and flood elevations will be maintained.

- (f) To simulate a natural stream channel. No changes to the stream channel as it exists are proposed.
- (g) So as not to alter sediment transport competence. Sediment transport will not be changed

Env-Wt 904.09(c)(3) – The alternative design must meet the general design criteria specified in Env-Wt 904.01:

Env-Wt 904.01

(a) Not be a barrier to sediment transport;

The culvert as it exists is not a barrier to sediment transport.

- (b) Prevent the restriction of high flows and maintain existing low flows; No significant changes are proposed therefor existing flows and flood elevations will be maintained.
- (c) Not obstruct or otherwise substantially disrupt the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction; No changes are proposed.
- (d) Not cause an increase in the frequency of flooding or overtopping of banks; No significant changes are proposed therefor existing flows and flood elevations will be maintained.
- (e) Preserve watercourse connectivity where it currently exists; Watercourse connectivity will remain unchanged.
- (f) Restore watercourse connectivity where: (1) Connectivity previously was disrupted as a result of human activity(ies); and (2) Restoration of connectivity will benefit aquatic life upstream or downstream of the crossing, or both;

Current watercourse connectivity will be maintained as there will be no significant changes to the existing crossing.

- (g) Not cause erosion, aggradation, or scouring upstream or downstream of the crossing; and The existing box does not cause erosion, aggradation, or scouring.
- (h) Not cause water quality degradation. There will be no effect on water quality.

***Note: An alternative design for <u>Tier 1</u> stream crossings must meet the general design criteria (Env-Wt 904.01) only to the *maximum extent practicable*.

To:

Melilotus Dube

7 Hazen Drive

Concord, NH 03301

From: NH Natural Heritage Bureau

Re:

Review by NH Natural Heritage Bureau of request dated 6/22/2016

NHB File ID: NHB16-1993

Applicant: Melilotus Dube

Date: 6/22/2016

Location:

Tax Map(s)/Lot(s):

Eaton

Project Description:

NHDOT 183H-1. The existing box culvert requires repairs. The project will remove a portion of the roof of the box to replace and perform repairs to the wingwalls. The project

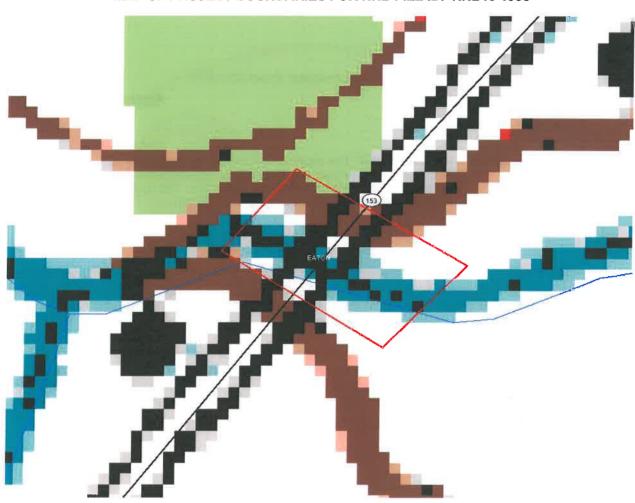
area will extend 50' and require water diversion.

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 6/21/2017.

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-1993





United States Department of the Interior

FISH AND WILDLIFE SERVICE

New England Ecological Services Field Office 70 COMMERCIAL STREET, SUITE 300 CONCORD, NH 03301

PHONE: (603)223-2541 FAX: (603)223-0104 URL: www.fws.gov/newengland



June 22, 2016

Consultation Code: 05E1NE00-2016-SLI-1666

Event Code: 05E1NE00-2016-E-02414

Project Name: Eaton 1832H-1

Subject: List of threatened and endangered species that may occur in your proposed project

location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan

(http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and

http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment





Project name: Eaton 1832H-1

Official Species List

Provided by:

New England Ecological Services Field Office 70 COMMERCIAL STREET, SUITE 300 CONCORD, NH 03301 (603) 223-2541_ http://www.fws.gov/newengland

Consultation Code: 05E1NE00-2016-SLI-1666

Event Code: 05E1NE00-2016-E-02414

Project Type: TRANSPORTATION

Project Name: Eaton 1832H-1

Project Description: NH153 over unnamed brook 700 feet north of Ridge Road and Glines Road.

Existing box culvert and wingwall repair.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.





Project name: Eaton 1832H-1

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-71.08161807060242 43.910446127802906, -71.08101725578308 43.91011376618906, -71.08070611953735 43.91035337591132, -71.08134984970093 43.9106548190305, -71.08161807060242 43.910446127802906)))

Project Counties: Carroll, NH





Project name: Eaton 1832H-1

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Flowering Plants	Status	Has Critical Habitat	Condition(s)
Small Whorled pogonia (Isotria medeoloides)	Threatened		
Mammals			
Northern long-eared Bat (Myotis septentrionalis)	Threatened		





Project name: Eaton 1832H-1

Critical habitats that lie within your project area

There are no critical habitats within your project area.



United States Department of the Interior

FISH AND WILDLIFE SERVICE



New England Field Office 70 Commercial Street, Suite 300 Concord, NH 03301-5087 http://www.fws.gov/newengland

January 22, 2016

To Whom It May Concern:

This project was reviewed for the presence of federally listed or proposed, threatened or endangered species or critical habitat per instructions provided on the U.S. Fish and Wildlife Service's New England Field Office website:

http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm (accessed January 2016)

Based on information currently available to us, no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under section 7 of the Endangered Species Act is not required. No further Endangered Species Act coordination is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your cooperation. Please contact Maria Tur of this office at 603-223-2541 if we can be of further assistance.

Sincerely yours,

Thomas R. Chapman

Supervisor

New England Field Office

FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES IN NEW HAMPSHIRE

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS	
Belknap	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Meredith, Alton and Laconia	
Deixilap	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	
Carroll	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Albany, Brookfield, Eaton, Effingham, Madison, Ossipee, Wakefield and Wolfeboro	
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	
	Canada Lynx	Threatened	Regenerating softwood forest, usually with a high density of snowshoe hare.	All Towns	
Coos	Dwarf wedgemussel	Endangered	Connecticut River main channel and Johns River	Northumberland, Lancaster and Dalton	
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	
	Dwarf wedgemussel	Endangered	S. Branch Ashuelot River and Ashuelot River	Swanzey, Keene and Surry	
Cheshire	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	
	Dwarf wedgemussel	nussel Endangered Connecticut River main channel		Haverhill, Piermont, Orford and Lyme	
Grafton	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Holderness	
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	
Hillsborough	Small whorled Pogonia		Forests with somewhat poorly drained soils and/or a seasonally high water table	Manchester, Weare	
rinsborough	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	
	Karner Blue Butterfly	Endangered	Pine Barrens with wild blue lupine	Concord and Pembroke	
Merrimack	Small whorled Pogonia	Threatened	Forests	Bow, Danbury, Epsom, Loudon, Warner and Allenstown	
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide	

Dube, Melilotus

From:

Hicks, Michael C NAE < Michael.C.Hicks@usace.armv.mil>

Sent:

Tuesday, September 06, 2016 3:23 PM

To:

Dube, Melilotus

Cc:

Ryan, Kerry

Subject:

RE: NHDOT District 3 Maintenance Projects NLEB Coordination- Wolfeboro, Tilton,

Freedom, Eaton

For the Freedom, Eaton and Wolfeboro projects, the Corps has made the No Affect call with no need to consult.

Thanks, Michael Hicks, PM USACE, REG DIV., BR. C 978-318-8157

----Original Message-----

From: Dube, Melilotus [mailto:MDube@dot.state.nh.us]

Sent: Tuesday, September 06, 2016 2:48 PM

To: Hicks, Michael C NAE < Michael.C.Hicks@usace.army.mil>

Cc: Ryan, Kerry < KRyan@dot.state.nh.us>

Subject: [EXTERNAL] RE: NHDOT District 3 Maintenance Projects NLEB Coordination- Wolfeboro, Tilton, Freedom, Eaton

Thank you, Mike!

Please let me know if USFWS responds to you about Tilton, otherwise I will assume we are all set after the 30 day timeframe.

For the No Affect projects (Freedom, Eaton and Wolfeboro), will you send us an official statement or form or should we use this email as confirmation of consultation and no further coordination required?

We will get NHSHPO coordination to you for Tilton and Wolfeboro as soon as it is complete.

Meli

----Original Message----

From: Hicks, Michael C NAE [mailto:Michael.C.Hicks@usace.army.mil]

Sent: Thursday, September 01, 2016 2:33 PM

To: Dube, Melilotus Cc: Ryan, Kerry

Subject: RE: NHDOT District 3 Maintenance Projects NLEB Coordination- Wolfeboro, Tilton, Freedom, Eaton

Dube and Kerry,

I sent the 4(d) letter to USFWS on 8/30/2016 for Tilton. For Freedom, Eaton, and Wolfeboro, there are either no trees being cleared, no rip rap being disturbed associated with a dam and/or they are culverts (not bridges), therefore I can make the No Affect for the NLEB and don't need to send in the 4(d) letter. I need OK from the NHSHPO for Tilton and Wolfeboro. I need Small-whorled Pagonia info. on Wolfeboro. Permit for NHDOT No. 16279 (Gilford) was issued today.

Thanks, Mike

Michael Hicks, PM USACE, REG DIV., BR. C 978-318-8157

-----Original Message-----

From: Dube, Melilotus [mailto:MDube@dot.state.nh.us]

Sent: Thursday, September 01, 2016 1:41 PM

To: Hicks, Michael C NAE < Michael.C. Hicks@usace.army.mil >

Cc: Ryan, Kerry < KRyan@dot.state.nh.us>

Subject: [EXTERNAL] NHDOT District 3 Maintenance Projects NLEB Coordination- Wolfeboro, Tilton, Freedom, Eaton

Good afternoon Mike,

Kerry and I are looking to confirm that you have received all of the information that you need from us to complete NLEB consultation with USFWS for our culvert repair projects in Wolfeboro, Tilton, Freedom and Eaton. If you could CC us on any correspondence or let us know when you send the forms in to USFWS so that we can keep track of timelines for our projects, we would really appreciate it.

Thank you!

Meli



Victoria F. Sheehan

Commissioner

THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

RECEIVED

AUG 15 2016



201.

Eaton 1832H-1 RPR 7898

No Historic Properties Affected Memo

Pursuant to New Hampshire Division of Historic Resources response to the Request for Project Review, dated August 4, 2016, and for the purpose of compliance with regulations of the National Historic Preservation Act, the Advisory Council on Historic Preservation's *Procedures for the Protection of Historic Properties* (36 CFR 800), and the US Army Corps of Engineers' *Appendix C*; the NH Division of Historical Resources and the US Army Corps of Engineers have coordinated the identification and evaluation of cultural resources with plans to repair a concrete and granite box culvert carrying an unnamed brook under NH Route 152 in the town of Eaton, New Hampshire.

This project will include repairs to the spalled concrete on the wingwalls, removal and replacement of the existing roof, and repaying of the road. All work lies within the existing State right-of-way. Based on the review, we have determined that there are no historic or archeological resources present in the project area and that no further survey work is needed.

In accordance with the Advisory Council's regulations, we will continue to consult, as appropriate, as this project proceeds.

Jill Édelmann

Date

Cultural Resources Manager

Concurred with by the NH State Historic Preservation Officer:

Elizabeth H. Muzzey

Date

State Historic Preservation Officer

NH Division of Historical Resources

c.c.

Meli Dube, NHDOT Michael Hicks, ACOE William Rollins, NHDOT Chris St. Louis, NHDHR

S:\Environment\PROJECTS\EATON\1832-H-1\Cultural\Eaton 1832H-1 NoHistPropAffectedACOE.doc

US Army Corps of Engineers ® New England District

U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B - Corps Secondary Impacts Checklist (for inland wetland/waterway fill projects in New Hampshire)

- 1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
- 2. All references to "work" include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
- 3. See PGP, GC 5 regarding single and complete projects.
- 4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See	MT 100	
http://des.nh.gov/organization/divisions/water/wmb/section401/impaired waters.htm		x
to determine if there is an impaired water in the vicinity of your work area.*		
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?	X	
2.2 Are there proposed impacts to SAS, shellfish beds, special wetlands and vernal pools (see		
PGP, GC 26 and Appendix A)? Applicants may obtain information from the NH Department of		
Resources and Economic Development Natural Heritage Bureau (NHB) website,		X
www.nhnaturalheritage.org, specifically the book Natural Community Systems of New		
Hampshire.		
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology,	,	
sediment transport & wildlife passage?	n/a	n/a
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent		
to streams where vegetation is strongly influenced by the presence of water. They are often thin		
lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream		X
banks. They are also called vegetated buffer zones.)		
2.5 The overall project site is more than 40 acres.		X
2.6 What is the size of the existing impervious surface area?	n/a	
2.7 What is the size of the proposed impervious surface area?	n/a	
2.8 What is the % of the impervious area (new and existing) to the overall project site?	n/a	
3. Wildlife	Yes	No
3.1 Has the NHB determined that there are known occurrences of rare species, exemplary natural		
communities, Federal and State threatened and endangered species and habitat, in the vicinity of		X
the proposed project? (All projects require a NHB determination.)		
3.2 Would work occur in any area identified as either "Highest Ranked Habitat in N.H." or		1
"Highest Ranked Habitat in Ecological Region"? (These areas are colored magenta and green,		ĺ
respectively, on NH Fish and Game's map, "2010 Highest Ranked Wildlife Habitat by Ecological		
Condition.") Map information can be found at:		x
• PDF: www.wildlife.state.nh.us/Wildlife/Wildlife Plan/highest ranking habitat.htm.		
• Data Mapper: www.granit.unh.edu.		
• GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html.		
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland,		
wetland/waterway) on the entire project site and/or on an adjoining property(s)?		X
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or		
industrial development?		X
3.5 Are stream crossings designed in accordance with the PGP, GC 21?	X	

4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?	х	
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?	n/a	n/a
5. Historic/Archaeological Resources		
If a minor or major impact project, has a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) been sent to the NH Division of Historical Resources as required on Page 5 of the PGP?**	х	

^{*}Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

** If project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.



Project Area Looking East



Inlet Looking North



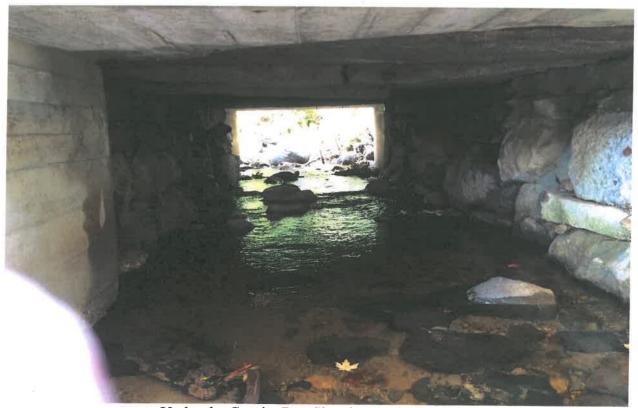
Inlet



Outlet Looking South



Outlet

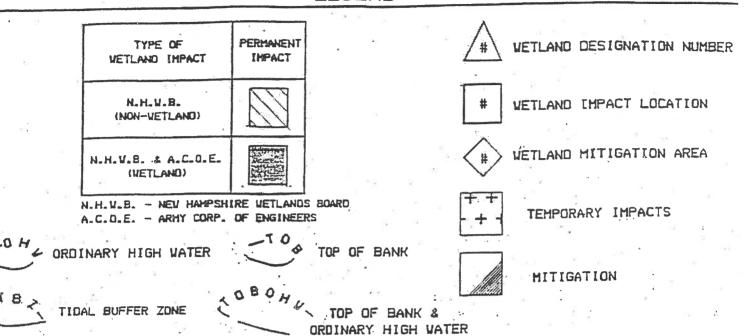


Under the Granite Box Showing Broken Granite



Under the Granite Box Showing the Steel Plates Where Granite is Gone

LEGEND



SHOWN SMALLER THAN ACTUAL SIZE

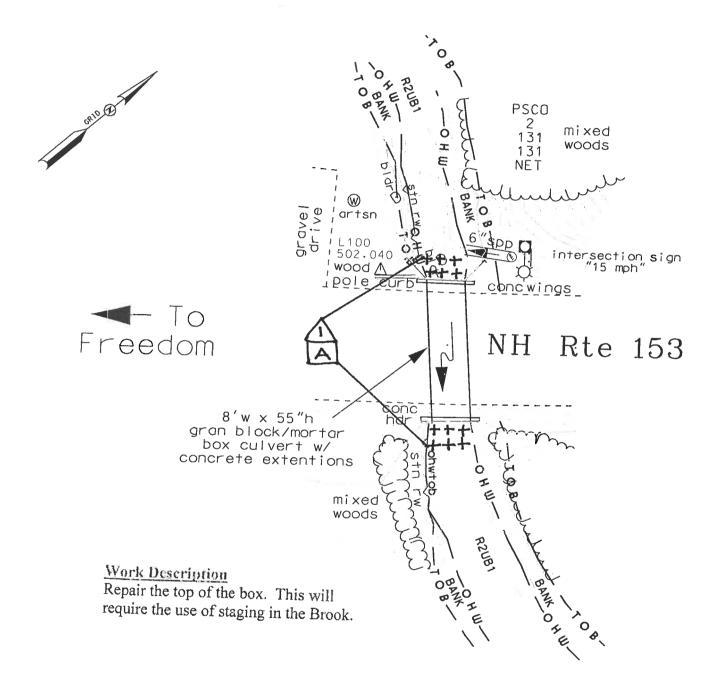
I DETIAND	- 22	USFVS VETLAND LOCATION ASSIFICATION	AREA (S.F.)		
			N.H.V.B. (NON-VETLAND)	N.H.V.B. & A.C.O.E. (VETLAND)	TEMPORARY IMPACTS
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PERMANENT IMPACTS: O S.F.
TEMPORARY IMPACTS: 400 S.F.
TOTAL IMPACTS: 400 S.F.

Standard Dredge and Fill M303-13, Eaton 20 scale 8/23/16 By D. Silvia

Work Area

A 200,



Erosion Control Plan

Work will be completed during low flow conditions. Hay bales (BMP#10) downstream of the work area to contain sediment, cleanout as required. Sand bags shall be used upstream of the work area to control flow. Silt fence (BMP#8) shall be used along raw slopes for erosion and sediment control. Seed and mulch disturbed areas. Maintain erosion control devices until seeding and mulching has reestablished vegetation.



EATON 1832H

PLAN PREPARATION RECORD PLAN

MS DATA ANNOTATED BY : JWG
FIELD INSPECTED BY : SEL.JWG
PLAN PREP COMPLETION DATE : 7-5-16
SURVEY COMPLETION DATE : 4-8-16

+ N. H. D. O. T. +